



DEPARTMENT OF BUILDING AND DEVELOPMENT

STAFF REPORT

BOARD OF SUPERVISORS/PLANNING COMMISSION JOINT PUBLIC HEARING

DATE OF HEARING: September 29, 2010

AMENDMENT AND RE-ENACTMENT OF

ZMAP 2009-0001/ZOAM 2009-0001/DOAM 2009-0002: Limestone Overlay District

Amendment to Revised 1993 Zoning Ordinance and Zoning Map

Amendment to Land Subdivision and Development Ordinance

Amendment to Facilities Standards Manual Chapters 6 & 8

Amendment to Chapter 1040 Loudoun County Codified Ordinances: Water Wells,

**Amendment to Chapter 1066 Loudoun County Codified Ordinances: Private Sewage
Disposal Systems**

DECISION DEADLINE: At the Pleasure of the Board

ELECTION DISTRICT: Catoctin PROJECT PLANNER: Larr Kelly

EXECUTIVE SUMMARY

The Loudoun County Board of Supervisors, by adoption of a revised amended resolution of intent to amend, dated February 17, 2009, initiated a Zoning Map Amendment, Zoning Ordinance Amendment, and amendments to the Land Subdivision and Development Ordinance and Facilities Standards Manual for the purpose of implementing the Comprehensive Plan's policies for Limestone Conglomerate Area within Loudoun County. On February 17, 2010, the Board approved and adopted ZMAP 2009-0001/ZOAM 2009-0001/DOAM 2009-0002: Limestone Overlay District ("LOD") and associated amendments to Chapters 1040 and 1066 of the Codified Ordinances of Loudoun County ("February 17 Amendments"). Subsequent to the adoption of these amendments several lawsuits were filed against the County alleging some procedural deficiencies in the adoption of the amendments and raising questions concerning the role of the Karst Feature Database/LOD Database. In order to address these alleged deficiencies the Board adopted the attached Resolution to Initiate the Re-Adoption and Re-Enactment of the Limestone Overlay District on May 4, 2010 (8-1, Waters opposed) (Attachment 8) and this public hearing is being held pursuant to such resolution..

The Comprehensive Plan specifies that limestone conglomerate is subject to weathering and the formation of related solution channels, sinkholes, and rock outcrops, and that as a result

development in this area is susceptible to increased cavity collapse, ground slippage, groundwater pollution and threats to the stability of foundations and structures. The February 17 Amendments established a new overlay district designated as the LOD (Limestone Overlay District) on the County Zoning Map and added provisions for the LOD to Article IV, *Special & Overlay Districts / Division C*, *Environmental Impact Districts*, Article VI, *Administration*, Article VIII, *Definitions* and such other Sections of the Ordinance as were necessary to implement and maintain consistency with the foregoing amendments. The February 17 Amendments also included amendments to Section 1245.10 of the Loudoun County Land Subdivision and Development Ordinance (LSDO), Chapters 6 and 8 of the Facilities Standards Manual (FSM) and such other sections of the LSDO and FSM as necessary to implement and maintain consistency with the revisions. The February 17 Amendments further amended Chapter 1040, Water Wells, and Chapter 1066, Private Sewage Disposal Systems, of the Codified Ordinances, in order to bring certain existing Health Department standards into conformance with the Zoning Ordinance Amendments.

RECOMMENDATION

Staff recommends approval of the proposed amendments.

SUGGESTED MOTIONS:

Planning Commission:

1. I move that the Loudoun County Planning Commission recommend approval of ZMAP 2009-0001/ZOAM 2009-0001/DOAM 2009-0002, Limestone Overlay District, as contained in the following:

Attachment 1:	Zoning Map of Limestone Overlay District (Map Number 2010-019, dated February 18, 2010)
Attachment 2:	Loudoun County Zoning Ordinance Section 4-1900, Limestone Overlay District (9-29-10 Joint Public Hearing draft)
Attachment 3:	Amendment to Section 1245.10 of the Land Subdivision Development Ordinance (9-29-10 Joint Public Hearing draft)
Attachment 4:	Amendment to Chapter 6 of the Facilities Standards Manual (9-29-10 Joint Public Hearing draft)
Attachment 5:	Amendment to Chapter 8 of the Facilities Standards Manual (9-29-10 Joint Public Hearing draft)

OR

2. I move an alternate motion.

Board of Supervisors:

1. A. I move that the Board of Supervisors suspend its rules in order to allow for action on this item at the public hearing; and
- B. I move that the Board of Supervisors approve ZMAP 2009-0001/ZOAM 2009-0001/DOAM 2009-0002 Limestone Overlay District, together with amendments to Chapters 1040 and 1066 of the Codified Ordinances and adopt and re-enact the following ordinances and zoning map:

- | | |
|---------------|---|
| Attachment 1: | Zoning Map of Limestone Overlay District (Map Number 2010-019, dated February 18, 2010) |
| Attachment 2: | Loudoun County Zoning Ordinance Section 4-1900, Limestone Overlay District (9-29-10 Joint Public Hearing draft) |
| Attachment 3: | Amendment to Section 1245.10 of the Land Subdivision Development Ordinance (9-29-10 Joint Public Hearing draft) |
| Attachment 4: | Amendment to Chapter 6 of the Facilities Standards Manual (9-29-10 Joint Public Hearing draft) |
| Attachment 5: | Amendment to Chapter 8 of the Facilities Standards Manual (9-29-10 Joint Public Hearing draft) |
| Attachment 6: | Amendment to Chapter 1040 of the Codified Ordinances of Loudoun County (9-29-10 Joint Public Hearing draft) |
| Attachment 7: | Amendment to Chapter 1066 of the Codified Ordinances of Loudoun County (9-29-10 Joint Public Hearing draft) |

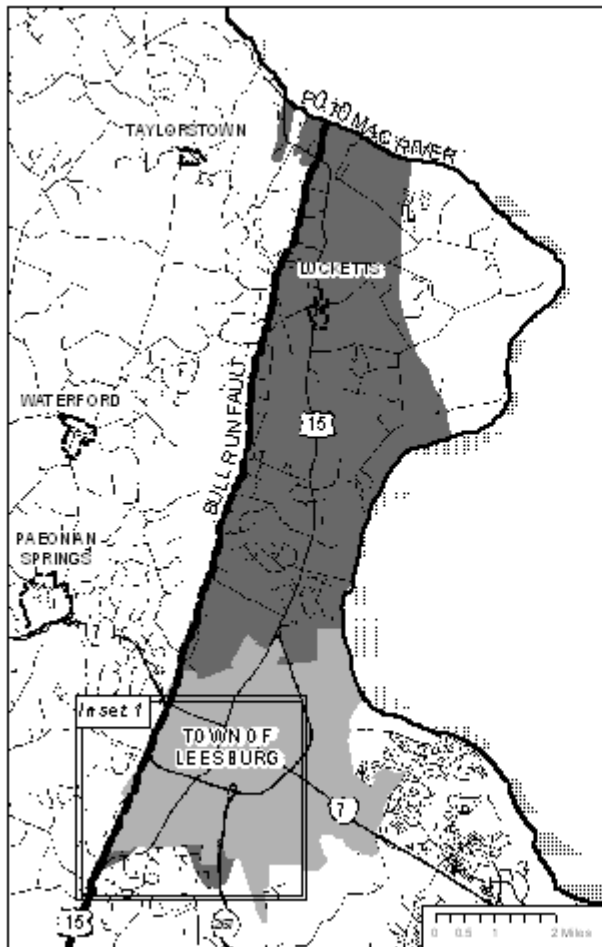
OR

2. I move that the Board of Supervisors forward ZMAP 2009-0001/ ZOAM 2009-0001/ DOAM 2009-0002 and the amendments to Chapters 1040 and 1066 of the Codified Ordinances to the Board's October 19, 2010 business meeting for action.

OR

3. I move an alternate motion.

VICINITY MAP



THE FOLLOWING IS A MAP OF THE AREA OF LOUDOUN COUNTY, VIRGINIA TO BE DESIGNATED AS THE LIMESTONE OVERLAY DISTRICT, AS MORE PARTICULARLY DESCRIBED IN THIS NOTICE:

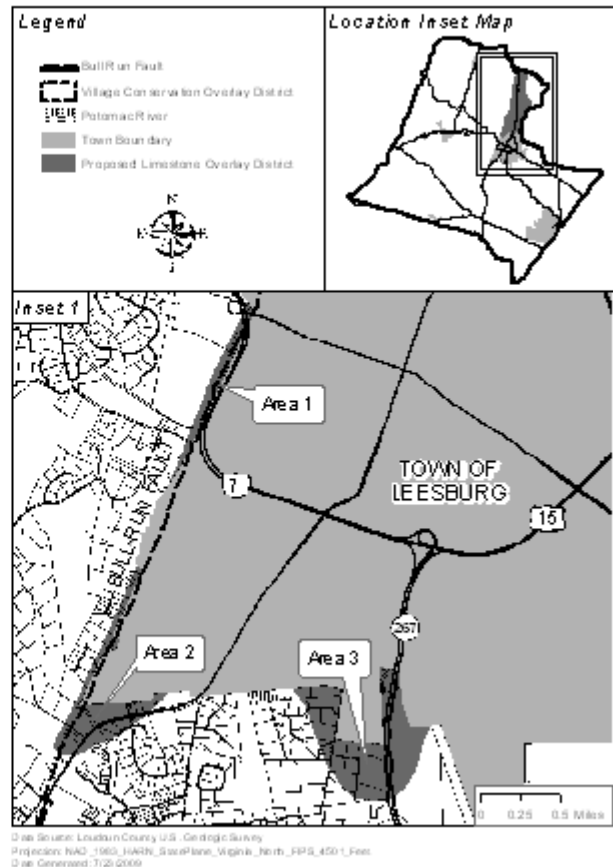


TABLE OF CONTENTS

I.	Application Information.....	6
II.	Background.....	7
III.	Summary of Zoning District.....	8
IV.	Summary of LSDO/FSM/Codified Ordinance Changes.....	11
	A. LSDO	11
	B. FSM: Chapter 6.....	11
	C. FSM: Chapter 8.....	12
	D. Chapter 1040 Wells, and Chapter 1066 Private Sewage Systems	13
V.	Issues	13
VIII.	Zoning Ordinance Criteria	14
IX.	Attachments	17

I. APPLICATION INFORMATION

APPLICANT	Loudoun County Board of Supervisors 1 Harrison Street, S.E., Fifth Floor Leesburg, VA 20175
OWNERS	Various: 1,197 notified
REPRESENTATIVE	N/A
APPLICANT'S REQUEST	To create and map a new Limestone Overlay District and to amend the various regulatory ordinances as needed to create standards to implement the new Overlay District
LOCATION	Generally north of the Town of Leesburg, east of the Catoclin Mountains, but excluding the area known as Lost Corner. In addition, one small area to the west of the Town of Leesburg and two areas to the south of the Town of Leesburg will be subject to the new district
TAX MAP/ PARCEL	Various
EXISTING ZONING	Mostly AR-1; plus PD-RV, A-3, A-10, CR-4, CR-1, RC, JLMA-2 and PD-IP

ACREAGE OF REQUEST SITE approximately 14,000 acres

SURROUNDING LAND USES/ZONING

<u>Zoning</u>	<u>Present Land Uses</u>
NORTH	Potomac River
SOUTH	Town of Leesburg
EAST	Potomac River
WEST	Catoclin Mountains

ELECTION DISTRICT: Catoclin

II. BACKGROUND

- In 2003, the Loudoun County Board of Supervisors adopted a “Limestone Conglomerate Overlay District” as part of the County-wide remapping effort. The County-wide remapping was challenged in Court and as a result of such challenge, several of the adopted zoning districts, including the Limestone Conglomerate Overlay District, were invalidated based on an insufficient newspaper notice. Additionally, at the time of the adoption of the Limestone Conglomerate Overlay District there were no corresponding regulations promulgated for the Facilities Standards Manual and Codified Ordinances to implement the regulations of the proposed district. In November 2007 the Board adopted a Resolution of Intent to Amend to again incorporate a new Limestone Overlay District within the Revised 1993 Zoning Ordinance. This Resolution was amended in July 2008 to also include amendments to the Land Subdivision Development Ordinance, Facilities Standards Manual, and Chapters 1040 and 1066 of the Codified Ordinances in order to fully implement the proposed Limestone Overlay District. This Resolution was itself revised in February 2009 so as to authorize some revisions to Chapter 6 of the Facilities Standards Manual, which are intended to provide clarity to existing standards and ensure uniform application of the standards both within and without the Limestone Overlay District. The proposed amendments to the Zoning Map, Zoning Ordinance, Land Subdivision and Development Ordinance and the Facilities Standards Manual were the subject of public hearings before the Planning Commission and the Board of Supervisors in 2009 and the amendments were adopted on February 17, 2010. Following adoption of the amendments lawsuits were filed challenging certain procedural aspects of the adoption of the amendments and also some of the content of the amendments concerning the “Karst Feature Database”. The current public hearing is being held to address the alleged procedural problems and to re-enact the amendments adopted on February 17, 2010, with changes that delete references to the “Karst Feature Database” and place the Karst Feature Database in the list of reference documents contained in Section 6.161 of the Facilities Standards Manual.
- The Limestone Overlay District (LOD) is proposed to be mapped as shown on the Vicinity Map, and as contained in Attachment 1, Map of the Limestone Overlay District (Map Number 2010-019, dated February 18, 2010). This area represents the portion of the County, outside of the Town of Leesburg, which is underlain by limestone formations. Limestone is a carbonate rock and is subject to weathering and the formation of solution channels and sinkholes. In places, limestone bedrock also forms outcrops. Rock outcrops, sinkholes and solution channels function as conduits to the groundwater system that may be susceptible to contaminated surface run-off, leaky fuel tanks, and septic tank effluent. Because the location of the underground solution channels is not well known, development risks are considered to exist throughout the limestone area.
- Within limestone areas increased surface run-off from development can lead to increased cavity collapse and ground slippage, which may affect sewage lagoons, ponds, and pipelines, and increases the potential for groundwater pollution. Ground slippage may also threaten the stability of foundations and structures built on or near these limestone

formations, their associated features and overlying soils. Limestone areas are vulnerable to sinkholes, cavity collapse, and ground slippage and cannot environmentally or structurally support land development activities without performance standards.

III. SUMMARY OF ZONING DISTRICT

- The LOD is intended to apply to all land development applications and land disturbing activities within the District except that the following activities are proposed to be exempt:

Agricultural activities, including horticultural activities and animal husbandry, conducted in accord with a Conservation Farm Management Plan, that includes best management practices, approved by the Loudoun County Soil and Water Conservation District, or US Natural Resources and Conservation Service, and a Nutrient Management Plan approved by the Loudoun County Soil and Water Conservation District.

Forestry and Silvicultural activities conducted in conformance with a forest management plan, that is in accord with the FSM and approved by the County Urban Forester.

Gardens, defined in Article VIII as “a plot of cultivated ground adjacent to a dwelling, devoted in whole or in part to the growing of herbs, fruits, flowers or vegetables for consumption by the household residing in the dwelling”.

Expansion of existing buildings, structures, and/or impervious surfaces, or reconstruction of legally existing buildings, provided that the increase in total footprint of a structure or impervious surface does not increase by more than 25% or 2,000 square feet, whichever is greater.

Paving of existing driveways with approval of a locational clearance.

Structures or Land Disturbance of 720 square feet or less, provided that no such disturbance shall be permitted within 20 feet of a Karst/Sensitive Environmental Feature, no structures shall be located within the Karst/Sensitive Environmental Feature Setback, and the exemption shall not apply to swimming pools, principal dwellings, accessory dwellings or to structures or land disturbing activities whose purpose is to change water flow. The exemption also does not apply to wells, except in cases involving the replacement of a dry well serving an existing inhabited structure.

- Submission materials for preliminary subdivisions, family subdivisions, preliminary/record subdivisions, site plans, grading permits and construction plans and profiles within the LOD shall be required to include proposed roads, lot lines, buildings, wells, drainfield locations and limits of clearing and grading and other land disturbing activities.

- A location clearance shall be required for all zoning/building permits within the LOD, which shall show the location and extent of land disturbing activities and mitigation measures, and shall include the proposed building sites, paved areas, drainfields, well locations, and other uses.
- Submission materials for Zoning Map Amendments, Special Exceptions and Commission Permits within the LOD shall require, in addition to all existing checklist materials, an Existing Conditions Map showing existing wells, drainfields, fill sites, faults and Karst/Sensitive Environmental Features within the property and within 100 feet of the property's boundaries; a Concept Plan of proposed development that shows proposed roads, lot lines, buildings, wells, drainfield locations and limits of clearing, grading and other land disturbing activities; and a Preliminary Soils Review.
- For all Land Development applications and all land disturbing activities within the LOD, a Geophysical Study pursuant to the requirements of Chapter 6 of the FSM shall be required to be submitted with the application. The Geophysical Study shall identify Karst/Sensitive Environmental Features, and determine whether a Geotechnical Report is necessary.
- A setback shall be established for each Karst/Sensitive Environmental Feature, and activities within such setback will be limited. Fences, trails and passive recreation facilities and site restoration and vegetation shall be permitted with certain limitations. Residential structures on lots that exist at the time of adoption of this ordinance may be permitted by minor special exception within the setback if there is no feasible alternative location outside of the setback.
- Outside of the Karst/Sensitive Environmental Feature Setback all uses of the underlying zoning district shall be permitted except:
 - Facilities or Uses that generate or manufacture hazardous substances;
 - Storage of hazardous substances in an aggregate amount of greater than 55 gallons
 - Automobile Service Stations;
 - Gas Pumps accessory to Convenience Food Store;
 - Motor Vehicle Service and Repair;
 - Underground Storage tanks (except propane tanks and water cisterns shown on the geophysical study); and
 - Landfills and waste sites.
- Development Standards Within LOD would:
 - Prohibit structures from being constructed in areas where the geophysical study shows that potential subsidence may occur, unless there are no alternatives and the potential harm can be mitigated, based on a geotechnical report;

- Require a grading permit for all land disturbing activities, and require grading to maintain natural drainage patterns;
- Require that surface runoff meet stormwater quality and quantity standards of the FSM, prohibit surface runoff from being concentrated to enter into a sinkhole, swallet, closed depression or cave opening, and require that post development flow to a sinkhole, swallet, closed depression or cave opening, that receives a sinking stream, shall be the same as pre-development flow;
- Disturbed areas within the LOD shall be limited to what is necessary to locate the use and any disturbed areas that are not covered by paving, stone or other solid material shall be revegetated;
- Communal wells and communal sewage disposal systems within the LOD shall be required for any subdivision of fifteen or more lots, except that subdivisions wherein all lots of the subdivision contain ten or more acres shall not be required to meet this standard;
- Golf courses within the LOD shall adhere to a water management plan approved by the Department of Building and Development and a nutrient management plan approved by the Loudoun County Soil and Water Conservation District and the Department of Building and Development;
- Stormwater management ponds and BMPs shall not be located within Karst/Sensitive Environmental Feature Setbacks and shall require a geophysical study, and all stormwater management ponds, sediment traps and sediment basins within the LOD shall be lined with impervious materials;
- Irrigation Systems shall be prohibited within the LOD, unless the water source for such system is not dependent on groundwater;
- Blasting within the LOD shall require a blasting plan in accord with the FSM. The cross reference to the Blasting Section of the FSM is proposed to be revised to refer to the correct section number;
- For properties within the LOD, notes informing people that the property is located within the LOD shall be required in all deeds, and on all record subdivision plats and site plans.
- Additional Mitigation Measures, as, and if, recommended by the geophysical study and any subsequent geotechnical report, may be required within the LOD. These measures may include, if recommended: ineligibility for density increases, requiring the use of cluster subdivision, landscaping and reductions in impervious surface coverage, storage tank testing and containment, conservation of indigenous

vegetation, groundwater protection through monitoring or other measures, and/or the prohibition of additional specific pollution sources.

- A new Section 6-407(A)(4) is proposed to authorize the Zoning Administrator to perform cartographic interpretations of the limits of the LOD and includes standards by which landowners can have their property excluded from the LOD requirements by showing that the site is not underlain by limestone.
- New definitions are proposed for the terms “Swallet”, “Hazardous Substance”, “Rock Outcrop”, “Karst Feature or Karst/Sensitive Environmental Feature”, “Karst/Sensitive Environmental Feature Setback”, “Sinking Stream”, “Sewer System Communal or Communal Wastewater System”, “Water Management Plan” and “Garden”.

IV. SUMMARY OF LSDO/FSM CHANGES

A. LSDO:

The change to Section 1245.10 of the LSDO merely corrects a cross reference to the FSM.

B. FSM: Chapter 6

Chapter 6 of the FSM, Soils, *Geotechnical and Hydrogeologic Reviews*, should be updated in order to incorporate standards for the new requirements imposed by the creation of the LOD, primarily by providing standards to be followed in performing a Geophysical Study. Additional changes are proposed to Chapter 6 in order to provide clarity to existing standards as they are to be applied both within and without the LOD. These changes include, without limitation, the following:

- Clarification of the requirements for Preliminary Soils Reports, including scale, scope, qualifications of individuals conducting report, boring densities, and identification of Karst/Sensitive Environmental Features.
- Updating Geotechnical Study requirements to clarify that within the LOD such studies must address issues identified in the required Geophysical Study.
- Adding requirements for Geophysical Studies methodology which must identify and address any anomalies or areas of voids, rocks, saturated soil, and mud-filled voids, and all Karst/Sensitive Environmental Features and permit alternative methodologies to be proposed in order to address site specific characteristics.
- Clarification of the reporting requirements for both Geotechnical Studies and Geophysical Reports, specifically adding a recommendations/conclusions section, and including specific reporting requirements for development within the LOD.
- Updating certain soil mapping unit numbers which require a detailed Geology/Hydrology section in the Geotechnical or Geophysical report.
- Permitting geophysical investigative techniques to be used to reduce the minimum number of borings and clarify that the boring density must be adequate to evaluate each landscape position or geologic formation.
- Establishing blasting plan requirements for blasting within LOD.

- Establishing Nutrient Management Plan requirements within the LOD.
- Requiring, within the LOD, that a building pad be certified as sufficient in size for the proposed structure applied for in the building permit application.
- Updating the list of standard reference literature, to include the Karst Feature Database.
- Requiring analysis of fracture fabric (number and orientations of linear features or photolineaments) for subdivisions with individual wells where bedrock outcrops exist.
- Clarifying that the minimum number of observation wells required within LOD shall be the minimum number necessary to identify a wellhead's zone of influence.
- Clarifying pumping test duration requirements to specify that the water level in a well must reach equilibrium or near equilibrium.
- Updating Hydrogeologic Report requirements for resource extraction use, to include a water budget analysis and baseline testing for wells within 1,000 feet of the proposed resource extraction area
- Updating Hydrogeologic Report requirements for developments other than resource extraction that withdraw groundwater at a rate of 10,000 gallons per day for any single 30 day period, including minimum pump test duration, and water quality sampling.
- Requiring communal well testing to delineate a wellhead's zone of influence and to estimate sustainable yield.
- Requiring Hydrogeologic Reports to provide an analysis and evaluation of the impact of groundwater withdrawals on the groundwater and surface water resources, including the impact on surrounding water supply wells.
- Requiring Hydrogeologic Reports to provide a plan for investigating potential impacts on existing off-site water supply wells within a minimum of 1,000 feet of a proposed development's production well, and if the off-site wells experience water level or water quality problems during periods of production well use, to include demand management strategies.
- Requiring Hydrogeologic Reporting for resource extraction uses to provide water budget analysis, baseline testing of existing off-site water supply wells within 1,000 feet of a proposed resource extraction area, and the provision, in digital format, of water level monitoring and pumping data used in the Hydrogeologic Report.

C. FSM CHAPTER 8

Chapter 8 of the FSM, Administrative Procedures, is proposed to be amended so as to include within the submission requirements for each of several development types, a cross-reference to the requirements of Section 4-1900 Limestone Overlay District. These development application types include: Preliminary Subdivisions, Preliminary/Record Subdivisions, Family Subdivisions, Subdivision Waiver/Low Density Waiver, AR-1 and AR-2 Division Plats, Construction Plans and Profiles, Site Plans, and Grading Permits. Chapter 8 is also proposed to be amended to include references to the Plat Notes requirements of the LOD.

D. Chapter 1040: Water Wells, and Chapter 1066: Private Sewage Disposal Systems, of the Codified Ordinances

Chapters 1040 and 1066 of the Codified Ordinances are proposed to be amended so as to include LOD standards and setbacks from Karst /Sensitive Environmental Features within the Health Department's regulations, thereby allowing for the enforcement of the setbacks in the process of permitting wells and drainfields. Both chapters include an exemption from the respective well and drainfield setback requirements if the Health Department had approved the well site and/or drainfield site prior to February 17, 2010.

V. ISSUES

The issue presented is whether to re-enact the previously adopted February 17, 2010 Amendments with the changes to the Zoning Ordinance text and Facilities Standards Manual Chapter 6 text, as shown in Attachments 2 and 4 respectively. The list of proposed text changes include:

Zoning Ordinance

- 4-1902 : Updating the List of Authorities
- 4-1903(A)(1) and (2): Delete both sections to remove the Karst Feature Database from LOD
- 4-1904(B)(1): remove a cross reference to the Karst Feature Database
- 4-1905(A)(7): Delete so as to remove "Other underground features that may affect the proposed development" from the list of Karst/Sensitive Environmental Features
- 4-1907(A): Delete last sentence of the section to remove cross reference to Karst Feature Database
- 4-1907(B) change language in order to remove cross reference to Karst Feature Database
- 4-1907(K): change cross reference to FSM from 6.155 to 6.157 in order to correctly cross reference the Blasting Standards within the FSM

Facilities Standards Manual

- 6.151.A.1: Delete reference to the LOD Database
- 6.152.D.1.a.iii: Delete reference to Karst Feature Database
- 6.161: Add Loudoun County Karst Feature Database to the list of Standard References, Methods, and Procedures for Soils and Geotechnical Studies

VI. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1211(E) of the Loudoun County Zoning Ordinance states " ... (i)f the application is for reclassification of property to a different zoning district classification on the Zoning Map, the Planning Commission shall give reasonable consideration to the following matters ... ":

<u>Standard</u>	<i>Whether the proposed zoning district classification is consistent with the Comprehensive Plan.</i>
<u>Analysis</u>	This Amendment is proposed for the purpose of implementing the <u>Revised General Plan</u> policies pertaining to the Limestone Conglomerate Area. To address the environmental and human health and safety issues in this critical area, the <u>Revised General Plan</u> (Chapter 5, Limestone Conglomerate Policies, Policy 1) states that the County will define and delineate a Limestone Overlay District based on soil and geologic characteristics. This Amendment is found to be consistent with the Comprehensive Plan.
<u>Standard</u>	<i>Whether there are any changed or changing conditions in the area affected that make the proposed rezoning appropriate.</i>
<u>Analysis</u>	N/A
<u>Standard</u>	<i>Whether the range of uses in the proposed zoning district classification are compatible with the uses permitted on other property in the immediate vicinity.</i>
<u>Analysis</u>	The uses within the proposed Limestone Overlay District are mostly the same as for the underlying zoning districts, except that certain uses with the high potential for groundwater contamination will be restricted.
<u>Standard</u>	<i>Whether adequate utility, sewer and water, transportation, school and other facilities exist or can be provided to serve the uses that would be permitted on the property if it were rezoned.</i>
<u>Analysis</u>	N/A
<u>Standard</u>	<i>The effect of the proposed rezoning on the County's ground water supply.</i>
<u>Analysis</u>	One of the purposes of the Limestone Overlay District is to help protect the County's groundwater supply, and it is believed that mapping the Overlay District will, in fact, help to protect the groundwater supply
<u>Standard</u>	<i>The effect of uses allowed by the proposed rezoning on the structural capacity of the soils.</i>
<u>Analysis</u>	The creation and mapping of the Limestone Overlay District is proposed, in part, due to the potential within the Limestone area for sinkholes and cavity collapse. The increased studies that would need to be undertaken if the LOD is created and mapped as proposed would help to ensure that incompatible development does not occur where there is high risk of ground collapse.

<u>Standard</u>	<i>The impact that the uses permitted if the property were rezoned will have upon the volume of vehicular and pedestrian traffic and traffic safety in the vicinity and whether the proposed rezoning uses sufficient measures to mitigate the impact of through construction traffic on existing neighborhoods and school areas.</i>
<u>Analysis</u>	N/A
<u>Standard</u>	<i>Whether a reasonably viable economic use of the subject property exists under the current zoning.</i>
<u>Analysis</u>	Yes there is a reasonable economic use under the current zoning. The proposed Overlay District will not change any of the existing uses on the subject property. However, for certain uses which will no longer be permitted, such as Automobile Service Station and Gas Pumps Accessory to Convenience Store, expansion of such uses will not be permitted
<u>Standard</u>	<i>The effect of the proposed rezoning on the environment or natural features, wildlife habitat, vegetation, water quality and air quality.</i>
<u>Analysis</u>	The proposed Overlay District will help to protect Karst/Sensitive Environmental Features and the groundwater quality by creating a setback from such features and prohibiting certain hazardous uses.
<u>Standard</u>	<i>Whether the proposed rezoning encourages economic development activities in areas designated by the Comprehensive Plan and provides desirable employment and enlarges the tax base.</i>
<u>Analysis</u>	Except for prohibiting certain hazardous uses, the rezoning will have no impact on existing economic activities.
<u>Standard</u>	<i>Whether the proposed rezoning considers the needs of agriculture, industry, and businesses in future growth.</i>
<u>Analysis</u>	Safeguarding of the groundwater in the Limestone Conglomerate area will help to preserve the agricultural businesses.
<u>Standard</u>	<i>Whether the proposed rezoning considers the current and future requirements of the community as to land for various purposes as determined by population and economic studies.</i>
<u>Analysis</u>	N/A
<u>Standard</u>	<i>Whether the proposed rezoning encourages the conservation of properties and their values and the encouragement of the most appropriate use of land throughout the County.</i>

- Analysis The Limestone Overlay District encourages the conservation of sensitive environmental areas by avoiding the construction of buildings and structures close to Karst/Sensitive Environmental Features and by requiring that future construction avoid those areas that are more likely to experience ground collapse.
- Standard *Whether the proposed rezoning considers trends of growth or changes, employment, and economic factors, the need for housing, probable future economic and population growth of the County.*
- Analysis N/A
- Standard *The effect of the proposed rezoning to provide moderate housing by enhancing opportunities for all qualified residents of Loudoun County.*
- Analysis N/A
- Standard *The effect of the rezoning on natural, scenic, archaeological, or historic features of significant importance.*
- Analysis It is believed that the mapping of the Limestone Overlay District will have a beneficial effect upon the natural resources within the Limestone Conglomerate Area by maintaining a distance from sensitive environmental features.

Section 6-1211(D) of the Zoning Ordinance states " ... for an amendment of the text of this Ordinance, the Planning Commission shall consider the following matters ... ":

- Standard *Whether the proposed text amendment is consistent with the Comprehensive Plan.*
- Analysis This Amendment is proposed for the purpose of implementing the Revised General Plan policies pertaining to the Limestone Conglomerate Area. To address the environmental and human health and safety issues in this critical area, the Revised General Plan (Chapter 5, Limestone Conglomerate Policies, Policy 1) states that the County will define and delineate a Limestone Overlay District based on soil and geologic characteristics. This Amendment is found to be consistent with the Comprehensive Plan.
- Standard *Whether the proposed text amendment is consistent with the intent and purpose of this Ordinance.*
- Analysis The intent of this ordinance is defined under Section 1-102, which states: "*This Ordinance is enacted in order to promote the health, safety and welfare of the residents of Loudoun County and to implement the Loudoun County Comprehensive Plan*". Subsection (L) further states that the Ordinance is designed to "*provide for the*

preservation of agricultural and forestall land and other lands for the protection of the natural environment” This Amendment is found to be consistent with the intent and purpose of the Zoning Ordinance.

IX. ATTACHMENTS	PAGE NUMBER
1. Zoning Map of LOD (Map Number 2010-019, dated February 18, 2010)	A-1
2. Zoning Ordinance Section 4-1900, Limestone Overlay District (9-29-10 draft)	A- 2
3. Section 1245.10 of Land Subdivision and Development Ordinance (9-29-10 draft)	A-20
4. Chapter 6 of the Facilities Standards Manual (9-29-10 draft)	A-21
5. Amended portions of Chapter 8 of the Facilities Standards Manual (9-29-10 draft)	A-71
6. Chapter 1040 of the Codified Ordinances (9-29-10 draft)	A-79
7. Chapter 1066 of the Codified Ordinances (9-29-10 draft)	A-99
8. May 4, 2010 Resolution to Initiate the Re-Adoption and Re-Enactment of the LOD	A-118